



Bulletin of Rule-making Activities

January 2003

Publication: 03-01-006

Pre-proposal Statement of Inquiry – CR-101

- **Chapter 173-26 WAC - State Master Program Approval/Amendment Procedures.**

New Shoreline Management Act (SMA) Guidelines for Development/Amendment of Master Programs, executing a settlement agreement amongst litigating parties that implements statutory requirements to update the guidelines consistent with SMA policy, replacing invalidated Parts 3 and 4 of chapter 173-26 WAC; among other things establishing planning and regulatory standards for future shoreline development and uses, requirements for protection and restoration of shoreline ecological functions, guidance on the limitations of regulatory authority and shorelines and growth management act integration.

Filed with the Office of the Code Reviser on January 8, 2003. For more information please contact, Peter Skowlund at (360) 407-6522 or psko461@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/sea/SMA/guidelines/newguid.htm>.

Proposed Rule-making Order – CR-102

- **Chapter 173-201A WAC - Water Quality Standards for Surface Waters of the State of Washington**

This rule making will propose to revise the surface water quality standards by:

- Moving from the current class-based system to a use-based system for designating beneficial uses of waters (for example swimming and aquatic life habitat) in Washington.
- Making changes to criteria (for example temperature and bacteria) for designated uses of the waters.
- Providing more clarity and detail on implementing the regulation, including the state's antidegradation policy.
- Organizing the structure and sections of the regulation to make it easier to use.

Filed with the Office of the Code Reviser on December 19, 2002. For more information please contact, Susan Braley at (360) 407-6414 or sbra461@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/wq/swqs/index.html>.

- **Chapter 173-170 WAC - Agricultural water supply facilities**

This rule revision is necessary to make good use of the remaining monies and achieve water savings benefiting the state's public waters by:

- 1) Raising the limit of project funding from 1.5 million to 2.5 million;
- 2) Exempting loans from the project funding limit once they are fully repaid;
- 3) Allowing projects with significant public benefit to receive a larger portion of funding in grants (replacing loans);
- 4) Restricting funding of emergency projects to loans;
- 5) Allowing funding to be provided to YRBWEP projects as monies are available;
- 6) Exempting funding of YRBWEP projects from the limit set on project funding; and
- 7) Setting loan interest rates at the beginning of the state fiscal year for loans issued that fiscal year.

Filed with the Office of the Code Reviser on December 23, 2002. For more information please contact, Rebecca Inman at (360) 407-7207 or rinm461@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/wr/AWSF/awsfhome.html>.

- **Chapter 197-11 WAC - State Environmental Policy Act (SEPA) Rules**

This rule amendment is necessary to make Ecology's SEPA rules consistent with legislation set forth in RCW 43.21C statutorily exempting specific proposed actions from SEPA review.

Filed with the Office of the Code Reviser on January 15, 2003. For more information please contact, Barbara Ritchie at (360) 407-6922 or sepaunit@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/sea/sepa/revision.htm>.

Rule-making Order – CR-103

- **Chapter 173–350 WAC - Solid waste handling standards**

This newly adopted rule will include comprehensive standards for solid waste handling practices and facilities, and provide permit exemption opportunities that encourage the use, reuse, and recycling of solid waste.

Filed with the Office of the Code Reviser on January 10, 2003. For more information please contact, Mike Hibbler at (509) 329-3466 or mhib461@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/swfa/304revisions/index.html>.

- **Chapter 173-157 WAC - Underground Artificial Storage and Recovery (ASR)**

In 2000, the Legislature amended the provisions of Chapters 90.03 and 90.44 RCW to include storing water in underground geologic formations within the definition of reservoirs. The legislation also directed the Department of Ecology to adopt a rule identifying certain standards that projects storing water underground would have to meet. Specifically, this rule will establish standards for review of proposals for “artificial storage and recovery” (ASR) projects and for mitigation of any adverse impacts which such projects may create. The rule will be a new chapter of the Washington Administrative Code, chapter 173-157 WAC, Underground artificial storage and recovery.

Filed with the Office of the Code Reviser on January 15, 2003. For more information please contact, Kathleen Enseñat at (360) 407-6780 or kspa461@ecy.wa.gov or visit <http://www.ecy.wa.gov/programs/wr/asr/asr-home.html>.

Rule-making Order – CR-103 – Emergency

- **Chapter 173-303 WAC - Dangerous Waste Regulations**

This emergency rule applies to the proper disposal of confiscated controlled substances that are designated as dangerous waste.

Filed with the office of the Code Reviser on January 13, 2003. For more information contact Ty Thomas at (360) 407-6758 or ttho461@ecy.wa.gov or visit <http://www.ecy.wa.gov/laws-rules/activity/wac173303.html>.

Rule-making Public Hearings

- **Chapter 173-201A WAC - Water Quality Standards for Surface Waters of the State of Washington**

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| ○ Wenatchee - Mon., Jan. 27, 2003
Chelan Co. Auditorium
400 Douglas | ○ Bellingham - Mon., Feb. 3, 2003
Whatcom Co. Courthouse
311 Grand Ave. |
| ○ Spokane - Tues., Jan. 28, 2003
Spokane Falls Community College
Stud. Union Bldg 17, Lounge AB
3410 W Fort George Wright Dr. | ○ Seattle - Tues., Feb. 4, 2003
Seattle Center
Northwest Rooms: Lopez Room
305 Harrison St. |
| ○ Pasco - Wed., Jan. 29, 2003
Columbia Basin College
2600 N. 20th Ave. | ○ Port Angeles - Wed., Feb. 5, 2003
Vern Burton Center
308 East 4th St. |
| ○ Yakima - Thurs., Jan. 30, 2003
Ecology Central Region Office
15 West Yakima Ave., Suite 200 | ○ Vancouver - Thurs., Feb. 6, 2003
Water Resources Center
4600 SE Columbia Way |

Comment period ends: March 7, 2003 - 5:00 PM

- **Chapter 173-170 WAC - Agricultural water supply facilities**

- **Yakima** - Tuesday, Feb 4, 2003
Dept. of Ecology
Central Regional Office
15 W. Yakima Ave, Suite 200
- **Moses Lake** - Wednesday, Feb 5, 2003
Police Justice Building
Council Chambers Room
401 S. Balsam
- **Wenatchee** - Thursday, Feb 6, 2003
Chelan County Planning
Conference Room #204
411 Washington St.

Comment period ends: February 14, 2003 - 5:00 PM

- **Chapter 197-11 WAC - State Environmental Policy Act (SEPA) Rules**

- Lacey - Wed., February 26, 2003
2:00 p.m.
Dept. of Ecology - Auditorium, Room 36
300 Desmond Drive

Comment period ends: March 5, 2003 - 5:00 PM

Rule-making Public Workshops

- **Nothing to report at this time.**